

REC'D TO  
REGULATORY AUTH

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Guy M. Hicks  
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September 15, 1999

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**VIA TELECOPIER**

Henry Walker, Esquire  
Boult, Cummings, Conners & Berry, PLC  
414 Union Street, Suite 1600  
Post Office Box 198062  
Nashville, Tennessee 37219-8062

**VIA TELECOPIER**

Re: *Complaint of AVR of Tennessee, L.P., d/b/a Hyperion of Tennessee,  
L.P. Against BellSouth Telecommunications, Inc. to Enforce Reciprocal  
Compensation and "Most Favored Nation" Provision of the Parties'  
Interconnection Agreement*  
Docket No. 98-00530

Dear Michael and Henry:

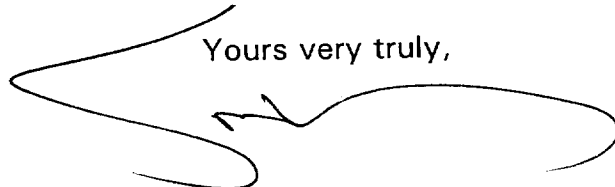
Consistent with paragraph 8 of the Protective Order entered by the Tennessee Regulatory Authority ("Authority") in this docket, BellSouth respectfully gives notice to Hyperion as the producing party, the Authority, and Hearing Officer Melvin Malone that BellSouth may use at the hearing in this case certain documents that have been designated as "highly confidential" by Hyperion. These documents are as follows: (1) Hyperion Telecommunications, Inc. 1997 Operating Budget (H0371-H0375); (2) Hyperion Telecommunications, Inc. 1998 Operating Budget (H0376-H0379); (3) Hyperion Telecommunications, Inc. 1999 Operating Budget (H0380-H0385); and (4) Hyperion Communications Forecast of Revenue and Line Additions (H0386).

**FILE**

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Henry Walker, Esquire  
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BellSouth is willing to take reasonable steps to protect the proprietary nature of this information at the hearing. However, BellSouth respectfully requests that Hyperion reassess whether some of these materials are truly confidential, particularly an operating budget that was prepared almost three years ago.

Yours very truly,



Guy Hicks

cc: The Honorable Melvin J. Malone (via hand delivery)  
David Waddell (via hand delivery)